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Attorneys for Defendants GARY D. MCKAY  
and CATHLEEN A. MCKAY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ROUND VALLEY INDIAN TRIBES,

Plaintiff,

v.

GARY D. MCKAY and CATHLEEN A.  
MCKAY, and DOES 1 through 10, inclusive,

Defendants.

CASE NO. C04-2320 JSW

**AMENDED STIPULATED DISMISSAL**

IT IS HEREBY FURTHER STIPULATED by and between the parties to this action, Plaintiff Round Valley Indian Tribes ("RVIT"), by and through Eugene W. Jamison, Jr., RVIT President, and Ronald W. Lincoln, Sr., RVIT Vice-President, and Defendants Gary D. McKay and Cathleen A. McKay ("McKays"), at the continued Settlement Conference held on May 9, 2006, before the Magistrate Judge Nandor S. Vadas, that the Stipulated Dismissal, filed December 6, 2005, and Order Granting the Stipulated Dismissal issued December 9, 2005, be amended as follows:

1. On or before May 12, 2006, RVIT shall place into escrow with an escrow company agreed to by the parties the amount of \$100,000.00 as a nonrefundable deposit.
2. Escrow previously agreed to close on April 15, 2005, will now close on June 16, 2006 and on June 16, 2006 the escrow company shall deliver all funds deposited with the escrow company to the McKays without any delay and without further instruction from any party or the

1 Court.

2 3. If escrow does not close on or before June 16, 2006, the parties agree to liquidate the  
3 damages in the amount of \$1,000.00 per day calculated from June 1, 2006, until the actual close of  
4 escrow.

5 4. Upon payment to the escrow company of all monies due and owing, RVIT and the  
6 McKays shall execute all documents necessary to effectuate the actual close of escrow and transfer  
7 of title of the McKay Ranch from the McKays to RVIT.

8 5. Plaintiff RVIT waives any claims, objections, or right to challenge the previous  
9 appraisals that were made in this case and agrees that the parties stipulated that the purchase price of  
10 the McKay Ranch is One Million, Four Hundred Eighty Five Thousand, Six Hundred Ninety-Four  
11 Dollars and Fifty-two Cents (\$1,485,694.52).

12 6. The McKays have until June 15, 2006, to remove any remaining personal property  
13 located on the McKay Ranch, and the McKays shall deliver the keys and RVIT shall take possession  
14 of the McKay Ranch immediately following the actual close of escrow.

15 7. All other terms and conditions of the previous Stipulated Dismissal not in conflict  
16 with this amended Stipulated Dismissal shall remain in full force and effect and the Court shall  
17 retain jurisdiction to resolve any disputes arising hereunder.

18 8. The parties to this agreement represent and warrant to the other party and to the  
19 Court that they have the actual and legal authority to be bound by the terms of the Stipulated  
20 Judgment, the terms of this Amended Stipulated Judgment, and hereby are bound to said terms.

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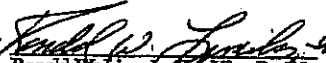
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1 For Plaintiff:

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4 Dated: 6-15-06

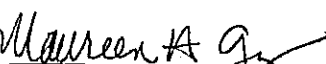
  
Eugene W. Jamison, Jr., President  
Round Valley Indian Tribes

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6  
7 Dated: 06-15-06

  
Ronald W. Lincoln, Jr., Vice-President  
Round Valley Indian Tribes

8  
9 APPROVED AS TO FORM:

10 Dated: 6-15-06

  
Maureen H. Geary  
Attorney for Plaintiff

1 For Defendants:

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4 Dated: 5-31-06

Gary McKay  
Gary McKay

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6  
7 Dated: May 31, 2006

Cathleen McKay  
Cathleen McKay

8  
9 APPROVED AS TO FORM:

10  
11 Dated: 06-01-06

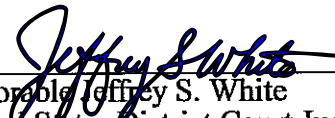
Michael R. Vinding  
Michael R. Vinding  
Attorney for Defendants

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DIEPENBROCK  
HARRISON  
ATTORNEYS AT LAW

AMENDED STIPULATED DISMISSAL

1  
2 IT IS SO ORDERED.

3 Dated: June 21, 2006

  
Honorable Jeffrey S. White  
United States District Court Judge